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FAY KAPLUN & MARCIN, LLP 150 BROADWAY, SUITE 702 NEW YORK, NY 10038			EXAMINER	HUYNH, CONG LAC T
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/766,335	Applicant(s) STEVENS, MARK A.
	Examiner Cong-Lac Huynh	Art Unit 2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 06 January 2011.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1,4-20,22-36 and 38 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1,4-20,22-36, 38 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/96/06)
 Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____

5) Notice of Informal Patent Application
 6) Other: _____

DETAILED ACTION

1. This action is responsive to communications: amendment filed 1/6/11 to the application filed on 1/19/01.
2. Claims 2-3, 21 and 37 are canceled.
3. Claims 1, 4-20, 22-36, 38 are pending in the case. Claims 1, 20, 34-36 and 38 are independent claims.
4. The 101 rejection of claim 37 has been withdrawn in view of the cancellation of claim 37.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. Claims 1, 4-20, 22-36, 38 remain rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Regarding independent claim 1, the claim is amended as "the translator assembles the feature set within a buffer" (line 6) where the assembly "within a buffer" is not supported in the specification.

Paragraph 34 of the application discloses that:

"Translator 100 may assemble the description of the features read by identifier 114 as an intermediary representation, stored in any convenient manner such as in a buffer or RAM (random access memory). This intermediary representation and the storage media (e.g., buffer) in which it is stored, are interchangeably referred to herein as intermediary representation or buffer 116, 126. When the translator has read a complete description of the features of source file 110 and completely assembled the representation 116, translator 100 may use writer to write a series of commands ..."

Paragraph 43 (also see figure 1) discloses:

"In a general implementation of translator 100, a file is created in the source format 110. Translator 100 reads the source file 110 with analyzer 114 using look-up table 120 to interpret commands associated with translatable features. When translator 100 has assembled a complete description of the features (and optionally stored the features in intermediary representation 116), writer 118 looks the features up in the back-end lookup table (tag file) 122."

As disclosed in the above paragraphs, the feature set is assembled by the translator and is stored in a buffer as an intermediary representation. The buffer is merely a place to store the feature set, not the place to assemble the feature set. Clearly, in paragraph 43, the translator has assembled the feature set *at the analyzer 114* and then optionally stores the assembled feature set in the buffer 116. It is noted that since storing the

feature set in the buffer is optional, the storing may or may not occur. Thus, it is certain that the assembly of the feature set occurs only at the analyzer 114. It is only true that the translator assembles the feature set, but it's not true that said assembly occurs within a buffer.

Therefore, "assembles the feature set within a buffer" (claim 1), "assembling the feature set in a buffer" (claim 20), "to assemble the feature set within a buffer" (claim 34), "to assemble the feature set within a buffer" (claim 35), "assembling the feature set in a buffer" (claim 36), "assemble the feature set within a buffer" (claim 38) are not supported in the specification.

Dependent claims 4-19, 22-36 are also rejected for fully incorporating the deficiencies of the base claims 1 and 20.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1, 4-20, 22-36, 38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding independent claims 1 and 20, it is unclear which component (feature identifier, feature writer or output module) of the translator performs the assembly. As claimed, the translator includes a feature identifier to determine a feature set of the source file, a feature writer to write the feature set into the target file and an output

module to output the target file. Thus, it is also understandable that the translator determines a feature set of the source file, writes the feature set into the target file and outputs the target file. However, with "the translator assembles the feature set within a buffer", there is no part of the translator does it.

Dependent claims 4-19, 22-36 are also rejected for fully incorporating the deficiencies of the base claims 1 and 20.

Regarding claim 38, it is confusing that one of the components of the translator is the translator.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1, 4-19, 34-35, 38 remain rejected under 35 U.S.C. 102(e) as being anticipated by Grobler et al. (US 2002/0052893, 5/2/02, filed 12/13/00).

Regarding independent claim 1, Grobler discloses:

- determining a feature set of a source file at a first memory location ([0018]: the tags of a table in the source file where said tags, which is a set of tags, represent

the table feature are established (or determined) in the code of the source file, and where the source file is in a first memory location)

- upon the determining of the feature set, assembling the feature set in a buffer, the buffer at a second memory location separate from the first memory location ([0067]-[0069], [0071]: analyzing the tags established in the source table data and selecting only tags suitable for creating a target table to import to the target file show assembling the feature set in a buffer where data is temporarily stored where the buffer is separate from the source file)
- writing the feature set into a target file in the target format (figure 7, [0068]-[0073], [0021]: writing the source table into the target table in the target file by converting the source table tags into the target table tags)
- outputting the target file (figure 6, [0058])

Regarding claim 4, which is dependent on claim 1, Grobler discloses that features of the feature set are selected from the group consisting of paragraph style, straddled cells in a table, cross-referencing, pen styles in a drawing, other document formatting, document header specification, document footer specifications, discontinuity indicator, order indicators, location indicators, beginning indicators, ending indicators, data types, data translation pairs, document macros, implied features, implied feature endings, and combination thereof ([0061]: the beginning indicators and the ending indicators of the table tags are selected).

Regarding claim 5, which is dependent on claim 1, Grobler discloses mapping code fragments of the source file to a feature list ([0045], [0048]).

Regarding claim 6, which is dependent on claim 5, Grobler discloses looking up the code fragments in a front-end lookup table ([0048]-[0052]).

Regarding claim 7, which is dependent on claim 6, Grobler discloses permitting the front-end lookup table to be user modifiable ([0053], [0069]).

Regarding claim 8, which is dependent on claim 1, Grobler discloses mapping the feature set to code fragments of the target file ([0049]-[0050], [0057]-[0058]).

Regarding claim 9, which is dependent on claim 8, Grobler discloses looking up the feature set in a back-end lookup table (figures 4-5, [0050]-[0051]: making selections regarding the format of the individual columns selected for the target table implies a provided list or table for looking up the table tags before selecting).

Regarding claims 10 and 11, which are dependent on claims 5 and 1 respectively, Grobler discloses identifying a feature set of a plurality of source files having a plurality of source formats writing the feature set into a plurality of target files having a plurality of target formats ([0023]: the fact that the data transformation from a source file to a target file can be applied to a *plurality of documents at the same time* implies that said data can

be identified in a plurality of source files having different formats and written to a plurality of target files having of course a plurality of target formats).

Regarding claim 12, which is dependent on claim 5, Grobler discloses identifying tokens disposed within the source file, and associating the tokens with the feature list ([0065]): the token "Boston" disposed in the source file is identified and associated with the tags <TH> and </TH> among the other table tags).

Regarding claims 13-14, Grobler discloses the translator comprises a user interface where the user interface comprises a GUI (figures 4-5, [0034]).

Regarding claim 15, which is dependent on claim 1, Grobler discloses a source format adapter module to interface with a source file generator ([0080]).

Regarding claim 16, which is dependent on claim 15, Grobler discloses using a source file generator to initiate translation by the translator ([0080]).

Regarding claim 17, which is dependent on claim 1, Grobler discloses using a target file adapter module to perform secondary translation ([0080],[0085]).

Regarding claim 18, which is dependent on claim 17, Grobler discloses the target file adapter module translates the target file into another target format ([0080]-[0086]).

Regarding claim 19, which is dependent on claim 1, Grobler discloses that the source and the target formats are selected from the group consisting of MIF, RTF, WordPerfect, VENTURA, Microsoft Word, Interleaf, HTML, SGML, XML, C, C++, Visual Basic, Pascal, Java, MFC, PowerPlant, Swing, SVG, HPJ, Flash, WMF, VRML, RenderMan, 3DMF, and combination thereof ([0080]).

Regarding independent claim 34, Grobler discloses:

- providing a feature identifier to determine a feature set of the source file ([0018]: the tags of a table in the source file where said tags, which is a set of tags, represent the table feature are established (or determined) in the code of the source file, and where the source file is in a first memory location)
- upon the determining of the feature set, assembling the feature set in a buffer, the buffer at a second memory location separate from the first memory location ([0067]-[0069], [0071]: analyzing the tags established in the source table data and selecting only tags suitable for creating a target table to import to the target file show assembling the feature set in a buffer where data is temporarily stored where the buffer is separate from the source file)
- writing the feature set into a target file in the target format (figure 7, [0068]-[0073], [0021]: writing the source table into the target table in the target file by converting the source table tags into the target table tags)

Independent claim 35 is a system for method claim 34, and is rejected under the same rationale.

Regarding independent claim 38, Grobler discloses a translator comprising:

- a feature identifier having a front-end lookup table to map code fragments of the source file to a list of features to determine a feature set of the source file at the first memory location ([0041]: the feature set, which includes tags of the source file, is established (or determined) in the source document table)
- a translator to store and analyze the feature set (figures 8-9, #820-855: the fact that the source data is temporarily stored and analyzed and a target table is created for filling the target format shows that storing and collecting of the source features are performed for a target table)
- a translator to assemble the feature set upon determining the feature set, the buffer at a second memory location separate from the first memory location ([0067]-[0069], [0071]: analyzing the tags in the source table data which is temporarily stored and selecting only tags suitable for creating a target table to import to the target file imply that there is a buffer where the source table data temporarily stored for assembling the tags, which are the feature set, for creating the target table, where the buffer is separate from the source file)
- a feature writer having a back-end lookup table to map the feature set to HTML code fragments, to write the feature set into the target file in the HTML format (figure 7, [0068]-[0073], [0021], figures 4-5, [0050]-[0051])

Grobler does not disclose:

- the code fragments of the source file is the MIF code

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Grobler to include MIF into Grobler since Grobler discloses the format of the source file can be *any format* used by a database application, and the format of the target file can be in any tag language such as HTML or XML [0080]. This motivates to use MIF code as a format of the source file in exchanging the formats between the source documents and the target documents.

Responses to arguments

10. Applicant's arguments filed 1/6/11 have been fully considered but they are not persuasive.

Regarding independent claim 20, Applicants argue that Grobler does not disclose upon identifying the feature set, which is identified at a first memory location, assembling the feature set in a buffer at a second memory separate from the first memory since in Grobler the source data is moved into temporary storage and then analyzed for tags.

Examiner agrees that the identifying of the feature set in the source file of the invention is done prior being stored in a buffer whereas in Grobler the identifying is done after being stored in the buffer. Grobler is withdrawn in the rejection of claim 20 and its dependent claims and the rejection of claim 36 as well.

Regarding independent claims 1, 34, 35 and 38 where determining of a feature set is claimed, it is noted that the feature set, which is the tag set of the source file is established, which means determined in the source code of the source file at the source file, and disclosed in Glober.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The prior art of record is listed on PTO 892.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Thurs (8:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Cong-Lac Huynh/
Primary Examiner, Art Unit 2178
03/21/11